

# HOUSE JOURNAL

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SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FORTY-SIXTH DAY — MONDAY, APRIL 7, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 170).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Laney.

Absent — Elkins.

The invocation was offered by Scott Sager, Preston Road Church of Christ, Dallas, as follows:

Now hear a word from the Lord. "Therefore, since we have been surrounded by such a great cloud of witnesses, let us lay aside every encumbrance and the sin which so easily entangles us, and let us run with endurance the race that is set before us. . ." (Hebrews 12:1)

Shall we pray. Heavenly Father, these dedicated women and men pause to seek you in the middle of the 140-day race you have set before them. May each of these representatives cast off any baggage that hinders them, and may they run with perseverance the race laid out for them.

We ask that you give them a vision of all the Texans, living and dead, who line the roadway to pull for them, cheer them on, and urge them forward as they make Texas more the great state you have destined her to be.

We ask especially this morning that you allow us to pause, and to hear from the great cloud of witness that still fills the quiet of this hallowed hall. May they sense the commanding presence of Stephen F. Austin calling them to be courageous in their leadership. May the rugged determination of William Travis inspire them to stand firm. May the fierce loyalty of James Bowie bring them across party lines to fight for Texas together. May the volunteer spirit of Daniel Boone encourage them to give all they have to a cause greater than themselves. May they remember the Alamo and hold freedom in the highest regard, and may they stand tall for Texas like the monument at San Jacinto.

May the certainty of a Texas handshake inspire these leaders to be people of great conviction. May the grace and charm of East Texas encourage them to appreciate beauty in all her forms. May the warm hospitality of West Texas remind them to value people above projects. May the keen sense of family in the Valley remind them of our most fundamental of foundations. May the rich history of Central Texas remind them of what has been left in their charge.

And as these men and women listen this morning to this brave cloud of witnesses, may they listen most keenly and with greatest attention to that still small voice you have placed inside their hearts. May you convince them of the greatness of your love. May you give them a peace that surpasses all understanding. And may you give them your wisdom that allows them to see Texas the way you do.

May this day be a day of quiet destiny. And may these leaders serve in such a way that those who come behind them find them faithful. We pray this, with respect to all people of faith, in the powerful name of Jesus Christ. Amen.

### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of important business in the district:

Laney on motion of Goolsby.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Krusee who presented Dr. James Boyd of Round Rock as the "Doctor for the Day."

The house welcomed Dr. Boyd and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

**HR 686 - ADOPTED**  
**(by Wolens, et al.)**

Representative Wolens moved to suspend all necessary rules to take up and consider at this time **HR 686**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 686**, Honoring Dr. Johann Deisenhofer for his contributions to medical research and education.

**HR 686** was adopted without objection.

On motion of the Dallas delegation, the names of all the members of the house were added to **HR 686** as signers thereof.

**HR 687 - ADOPTED**  
**(by Wolens, et al.)**

Representative Wolens moved to suspend all necessary rules to take up and consider at this time **HR 687**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 687**, Honoring Dr. Michael S. Brown for his contributions to medical research and education.

**HR 687** was adopted without objection.

On motion of the Dallas delegation, the names of all the members of the house were added to **HR 687** as signers thereof.

**HR 688 - ADOPTED**  
**(by Wolens, et al.)**

Representative Wolens moved to suspend all necessary rules to take up and consider at this time **HR 688**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 688**, Honoring Dr. Joseph L. Goldstein for his contributions to medical research and education.

**HR 688** was adopted without objection.

On motion of the Dallas delegation, the names of all the members of the house were added to **HR 688** as signers thereof.

**HR 689 - ADOPTED**  
**(by Wolens, et al.)**

Representative Wolens moved to suspend all necessary rules to take up and consider at this time **HR 689**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 689**, Honoring Dr. Alfred Gilman for his contributions to medicine and medical education.

**HR 689** was adopted without objection.

On motion of the Dallas delegation, the names of all the members of the house were added to **HR 689** as signers thereof.

### **INTRODUCTION OF GUESTS**

The speaker recognized Representative Wolens who introduced Dr. Alfred Gilman, Dr. Joseph L. Goldstein, Dr. Michael S. Brown, and Dr. Johann Deisenhofer, Nobel Prize winners and professors at The University of Texas Southwestern Medical Center at Dallas.

### **HR 707 - ADOPTED**

**(by Zedler)**

Representative Zedler moved to suspend all necessary rules to take up and consider at this time **HR 707**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 707**, Recognizing April 7, 2003, as Mansfield Day at the State Capitol.

**HR 707** was adopted without objection.

### **HR 488 - ADOPTED**

**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 488**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 488**, Congratulating Albert Ortiz on being named San Antonio's chief of police.

**HR 488** was adopted without objection.

### **HR 490 - ADOPTED**

**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 490**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 490**, Recognizing San Antonio Missions mascot Henry the Puffy Taco.

**HR 490** was adopted without objection.

**HR 491 - ADOPTED**  
**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 491**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 491**, Congratulating Dr. William Elizondo of San Antonio on being awarded the Ambassador for Peace medal.

**HR 491** was adopted without objection.

**HR 492 - ADOPTED**  
**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 492**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 492**, Congratulating Tessa Martinez Pollack on being named president of Our Lady of the Lake University in San Antonio.

**HR 492** was adopted without objection.

**HR 551 - ADOPTED**  
**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 551**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 551**, Honoring Dr. Leonel Reyes, Jr., on his selection as El Rey Feo at this year's Feria de las Flores in San Antonio.

**HR 551** was adopted without objection.

**HR 552 - ADOPTED**  
**(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 552**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 552**, Congratulating Shelton Padgett of San Antonio on his election as chairman of VIA Metropolitan Transit.

**HR 552** was adopted without objection.

**HR 695 - ADOPTED**  
**(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 695**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 695**, Commemorating the 10th anniversary of the Center for Public Policy Dispute Resolution in Texas.

**HR 695** was adopted without objection.

**HR 694 - ADOPTED**  
**(by Flores)**

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 694**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 694**, In memory of Maria Elena "Mary" Gonzalez of Mission.

**HR 694** was unanimously adopted by a rising vote.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Flores who introduced the family of Maria Elena Gonzalez.

**HR 699 - ADOPTED**  
**(by Krusee)**

Representative Krusee moved to suspend all necessary rules to take up and consider at this time **HR 699**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 699**, Recognizing April 7, 2003, as Round Rock Day at the State Capitol.

**HR 699** was adopted without objection.

**HR 682 - ADOPTED**  
**(by Pickett)**

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 682**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 682**, Honoring Dr. Seymour Ash and Mrs. Margaret Jeanne Ash of El Paso on their 51st wedding anniversary.

**HR 682** was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representatives Taylor and Eiland who introduced Dr. Byron James Bailey and his family.

(Edwards in the chair)

#### **HR 693 - ADOPTED (by Burnam)**

Representative Burnam moved to suspend all necessary rules to take up and consider at this time **HR 693**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 693**, Honoring James and Maxine Marchbanks on their 53rd wedding anniversary.

**HR 693** was adopted without objection.

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 23).

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

#### **HR 697 - ADOPTED (by Hunter)**

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 697**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 697**, Honoring seventeen members of Gamma Sigma Phi from Abilene Christian University for their success completing the 1,400-mile charitable bike ride to California benefitting Habitat for Humanity.

**HR 697** was adopted without objection.

### INTRODUCTION OF GUESTS

The chair recognized Representative Hunter who introduced members of Gamma Sigma Phi from Abilene Christian University.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Flores moved to suspend the five day posting rule to allow the Committee on Licensing and Administrative Procedures to consider **HB 1008**.

The motion prevailed without objection.

**PRINTING RULE SUSPENDED**

Representative Marchant moved to suspend House Rule 12, Section 1(a)(1)(A) to enable the committee report for **HB 3507** to be printed and distributed without the text of the introduced bill.

The motion prevailed without objection.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Gallego who introduced the family of James H. Copp.

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**HB 538 ON SECOND READING  
(by Hope, et al.)**

**HB 538**, A bill to be entitled An Act relating to the funding of alternative dispute resolution systems.

**HB 538** was read second time on April 2 and was postponed until 10 a.m. today.

**HB 538** was passed to engrossment.

**MAJOR STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 1365 ON SECOND READING  
(by Bonnen, Ritter, Chisum, Luna, Hochberg, et al.)**

**CSHB 1365**, A bill to be entitled An Act relating to the Texas emissions reduction plan.

**Amendment No. 1**

Representative Hochberg offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** on page 1, line 23, after "fuels", by inserting ", as provided by Subsection (i)".

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Hochberg offered the following amendment to **CSHB 1365**:



Amend **CSHB 1365** on page 6, at the end of line 10, by adding the following: "If a person that contracts for service with a political subdivision receives a grant under this subchapter, the person may spend the grant money only for equipment or a vehicle used to carry out the contract with the political subdivision."

Amendment No. 2 was adopted without objection.

### **Amendment No. 3**

Representative Hochberg offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

(1) On page 8, line 23, strike "Section 386.115" and substitute "Sections 386.115 and 386.116".

(2) On page 9, between lines 4 and 5, insert the following:

Sec. 386.116. SMALL BUSINESS INCENTIVES. (a) In this section, "small business" means a business owned by a person who:

(1) owns and operates not more than two vehicles, one of which is:

(A) an on-road diesel with a pre-1994 engine model; or

(B) a non-road diesel with an engine with uncontrolled emissions;

and

(2) has owned the vehicle described by Subdivision (1)(A) or (B) for more than one year.

(b) The commission by rule shall develop a method of providing fast and simple access to grants under this subchapter for a small business.

(c) The commission shall publicize and promote the availability of grants under this section to encourage the use of vehicles that produce fewer emissions.

(d) On or before December 1 of each even-numbered year, the commission shall report commission actions and results under this section to the governor, lieutenant governor, and speaker of the house of representatives.

Amendment No. 3 was adopted without objection.

### **Amendment No. 4**

Representative Chisum offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

(1) On page 9, between lines 4 and 5, insert the following new appropriately numbered SECTION of the bill and renumber subsequent SECTIONS accordingly:

SECTION \_\_. Section 386.205, Health and Safety Code, is amended to read as follows:

Sec. 386.205. EVALUATION OF STATE ENERGY EFFICIENCY PROGRAMS. (a) In cooperation with the laboratory, the utility commission shall provide an annual report to the commission that, by county, quantifies the reductions of energy demand, peak loads, and associated emissions of air contaminants achieved from the programs implemented under this subchapter and from those implemented under Section 39.905, Utilities Code.

(b) The commission shall compute energy efficiency credits based on the energy savings incentive programs under Section 39.905, Utilities Code.

(c) The commission shall include the energy efficiency credits described by Subsection (b) in the state implementation plan.

(2) On page 15, after line 16, add the following new appropriately numbered SECTION of the bill:

SECTION \_\_. Not later than the first anniversary of the effective date of this Act, the Texas Commission on Environmental Quality shall develop a method for computing energy efficiency credits as required by Section 386.205(b), Health and Safety Code, as added by this Act.

Amendment No. 4 was adopted without objection.

### **Amendment No. 5**

Representative Hochberg offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

(1) On page 10, between lines 12 and 13, insert the following:

(b) The legislature finds that diesel engines emit compounds that contribute to the formation of ozone in amounts that require reduction to meet mandatory federal clean air standards in regions of this state. The legislature declares that it is the policy of this state and the purpose of this section to reduce the amount of ozone precursor chemicals created by diesel engines in areas that currently do not meet, or soon may not meet, mandatory federal clean air standards for ozone and to require the use of reasonable methods to implement this policy.

(2) On page 10, line 13, strike "(b)" and substitute "(c)".

(3) On page 11, line 2, strike "(c)" and substitute "(d)".

(4) On page 11, line 7, strike "(d)" and substitute "(e)".

(5) On page 11, between lines 12 and 13, insert the following:

(f) Money deposited under this section to the credit of the Texas emissions reduction plan fund may be used only to fund the diesel emissions reduction incentive program under Subchapter C.

Amendment No. 5 was adopted without objection.

### **Amendment No. 6**

Representative Hochberg offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

(1) On page 10, line 3, strike "and".

(2) On page 10, between lines 3 and 4, insert:

"(3) notwithstanding Subdivisions (1) and (2), for the energy efficiency grant program, any available money that remains in the fund after other programs established under the plan are fully funded; and".

(3) On page 10, line 4, strike "(3)" and substitute "(4)".

(4) On page 14, strike lines 20 and 21 and substitute:

"SECTION 20. Section 382.037(i), Health and Safety Code, is repealed."

(5) On page 15, strike lines 11-16.

Amendment No. 6 was adopted without objection.

**Amendment No. 7**

Representative R. Cook offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

- (1) On page 10, line 9, between "OF" and "DIESEL", insert "UNDYED".
- (2) On page 10, line 13, between "of" and "diesel", insert "undyed".
- (3) On page 10, line 16, between "of" and "diesel", insert "undyed".

Amendment No. 7 was adopted without objection.

**Amendment No. 8**

Representative Chisum offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** by adding the following appropriately numbered sections and renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. Section 388.003, Health and Safety Code, is amended by amending Subsection (d) and by adding Subsections (j) and (k) to read as follows:

(d) A municipality or county may establish procedures to adopt:

(1) local amendments to the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code; or

(2) local building codes that meet or exceed the green building standards under Section 388.009.

(j) As required by Section 389.002, the commission shall report the energy savings identified under Subsection (e)(2) to the United States Environmental Protection Agency and shall periodically revise the state implementation plan to reflect the emissions reductions achieved.

(k) The commission, by rule, shall designate a method by which a municipality, county, builder, or other person can estimate:

(1) the energy savings and emissions reductions that would be generated by the adoption of a code, the implementation of a standard under this chapter, or the construction of a project that implements the code or standards; and

(2) the emissions reduction credits that the municipality or county could accrue toward attainment under the state implementation plan as reported by the commission under Section 389.002.

SECTION \_\_\_\_\_. Chapter 388, Health and Safety Code, is amended by adding Sections 388.009 and 388.010 to read as follows:

Sec. 388.009. GREEN BUILDING PROGRAM. (a) In this section, "National Housing Act" means Section 203(b), (i), or (k) of the National Housing Act (12 U.S.C. Sections 1709(b), (i), and (k)), as amended.

(b) The General Land Office, in consultation with the laboratory, the commission, and an advisory committee appointed by the General Land Office, may develop a green building accreditation program for buildings that exceed the building energy performance standards under Section 388.003 by 15 percent or more.

(c) If the General Land Office adopts a program under this section, the General Land Office, in consultation with the laboratory, shall update the program on or before December 1 of each even-numbered year using the best available green building practices.

(d) If the General Land Office adopts a program under this section, the program shall use a checklist system to produce a green building scorecard to help:

(1) home buyers compare potential homes and, by providing a copy of the completed scorecard to a mortgage lender, qualify for energy-efficient mortgages under the National Housing Act; and

(2) communities qualify for emissions reduction credits by adopting codes that meet or exceed the green building or energy performance standards established under this chapter.

(e) If the General Land Office adopts a program under this section, the General Land Office shall base green building standards for commercial buildings on federal agency programs.

(f) The General Land Office may establish a public information program to inform homeowners, sellers, buyers, and others regarding green building ratings.

(g) If the General Land Office adopts a program under this section, the laboratory shall establish a system to measure the reduction in energy and emissions produced under the green building program and report those savings to the commission.

Sec. 388.010. OUTREACH TO NEAR-NONATTAINMENT AREAS. The commission shall conduct outreach to near-nonattainment areas and affected counties on the benefits of implementing energy efficiency initiatives, including the promotion of green building programs and urban heat island mitigation techniques, as a way to meet air quality attainment goals under the federal Clean Air Act (42 U.S.C. Section 7401 et seq.).

SECTION \_\_. Chapter 389, Health and Safety Code, is amended by adding Section 389.003 to read as follows:

Sec. 389.003. COMPUTING ENERGY EFFICIENCY CREDITS. The commission shall develop a method to use in computing the credits received for emissions reductions obtained through energy efficiency initiatives.

SECTION \_\_. Not later than December 1, 2003, the Texas Commission on Environmental Quality:

(1) shall adopt rules needed to implement Sections 388.010 and 389.003, Health and Safety Code, as added by this Act; and

(2) shall develop a method for computing energy efficiency credits, as required by Section 389.003, Health and Safety Code, as added by this Act.

Amendment No. 8 was adopted without objection.

## **Amendment No. 9**

Representative Chisum offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** by adding a new section, appropriately numbered, to read as follows:

SECTION \_\_\_\_\_. Section 224.153, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) The department may not authorize vehicles addressed in Subsection (c) to use a high occupancy lane if such use would violate federal transit funding restrictions.

Amendment No. 9 was adopted without objection.

#### **Amendment No. 10**

Representative Burnam offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** by inserting the following section, appropriately numbered, and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. (a) The Texas Commission on Environmental Quality shall compose a report that identifies the emissions reduction strategies likely to be required to achieve the eight-hour ozone standard component of the National Ambient Air Quality Standards throughout this state.

(b) The Texas Commission on Environmental Quality shall submit the report to the governor, the lieutenant governor, and the speaker of the house of representatives on the earlier of the following dates:

(1) January 1, 2004; or

(2) the date on which the commission proposes a mid-course review state implementation plan for the one-hour ozone component of the National Ambient Air Quality Standards for the Houston-Galveston nonattainment area or the Dallas-Fort Worth nonattainment area.

Amendment No. 10 was adopted without objection.

#### **Amendment No. 11**

Representative Bonnen offered the following amendment to **CSHB 1365**:

(1) On page 1, line 14, strike "After" and substitute "Not later than".

(2) On page 4, line 12, between the second comma and "or", insert "an original equipment manufacturer's remanufactured engine,"

(3) On page 9, line 3, strike "10,000 pounds or more" and substitute "greater than 8,500 pounds".

(4) On page 9, line 11, strike "\_\_\_\_ [~~72~~]" and substitute "87.5 [~~72~~]".

(5) On page 9, line 21, strike "11.5" and substitute "9.5".

(6) On page 10, strike line 3 and substitute the following:

that:

(A) was engaged in research related to air quality on January 1, 2003;

(B) is directed by persons residing in the Houston-Galveston-Brazoria and Dallas-Fort Worth nonattainment areas; and

(C) is based in Houston; and

(7) Insert the following appropriately numbered sections and renumber subsequent sections accordingly:

SECTION \_\_\_\_\_. Subchapter H, Chapter 2155, Government Code, is amended by adding Section 2155.451 to read as follows:

Sec. 2155.451. VENDORS THAT MEET OR EXCEED AIR QUALITY STANDARDS. (a) This section applies only to a contract to be performed, wholly or partly, in an affected county, as that term is defined by Section 386.001, Health and Safety Code.

(b) The commission and state agencies procuring goods or services may:

(1) give preference to goods or services of a vendor that demonstrates that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality; or

(2) require that a vendor demonstrate that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality.

SECTION \_\_. Subchapter Z, Chapter 271, Local Government Code, is amended by adding Section 271.907 to read as follows:

Sec. 271.907. VENDORS THAT MEET OR EXCEED AIR QUALITY STANDARDS. (a) In this section, "governmental agency" has the meaning assigned by Section 271.003.

(b) This section applies only to a contract to be performed, wholly or partly, in an affected county, as that term is defined by Section 386.001, Health and Safety Code.

(c) A governmental agency procuring goods or services may:

(1) give preference to goods or services of a vendor that demonstrates that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality; or

(2) require that a vendor demonstrate that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality.

(8) Add the following appropriately numbered section and renumber subsequent sections accordingly:

SECTION \_\_. Section 386.101(6), Health and Safety Code, is amended to read as follows:

(6) "On-road diesel" means an on-road diesel-powered motor vehicle that has a gross vehicle weight rating of greater than 8,500 [10,000] pounds [or more].

Amendment No. 11 was adopted without objection.

(Speaker in the chair)

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

House Research Organization, upon recess today, Desk 60, for a formal meeting.

### RECESS

Representative Woolley moved that the house recess until 1:30 p.m. today.

The motion prevailed without objection.

The house accordingly, at 12:03 p.m., recessed until 1:30 p.m. today.

**AFTERNOON SESSION**

The house met at 1:30 p.m. and was called to order by the speaker.

**CSHB 1365 - (pending business)****Amendment No. 11 - Vote Reconsidered**

Representative Bonnen moved to reconsider the vote by which Amendment No. 11 was adopted.

The motion to reconsider prevailed.

Amendment No. 11 was withdrawn.

**Amendment No. 12**

Representative Bonnen offered the following amendment to **CSHB 1365**:

- (1) On page 1, line 14, strike "After" and substitute "Not later than".
- (2) On page 4, line 12, between the second comma and "or", insert "an original equipment manufacturer's remanufactured engine,"
- (3) On page 9, line 3, strike "10,000 pounds or more" and substitute "greater than 8,500 pounds".
- (4) On page 9, line 11, strike "\_\_\_\_ [~~72~~]" and substitute "87.5 [~~72~~]".
- (5) On page 9, line 21, strike "11.5" and substitute "9.5".
- (6) Insert the following appropriately numbered sections and renumber subsequent sections accordingly:

SECTION \_\_. Subchapter H, Chapter 2155, Government Code, is amended by adding Section 2155.451 to read as follows:

Sec. 2155.451. VENDORS THAT MEET OR EXCEED AIR QUALITY STANDARDS. (a) This section applies only to a contract to be performed, wholly or partly, in an affected county, as that term is defined by Section 386.001, Health and Safety Code.

(b) The commission and state agencies procuring goods or services may:

(1) give preference to goods or services of a vendor that demonstrates that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality; or

(2) require that a vendor demonstrate that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality.

SECTION \_\_. Subchapter Z, Chapter 271, Local Government Code, is amended by adding Section 271.907 to read as follows:

Sec. 271.907. VENDORS THAT MEET OR EXCEED AIR QUALITY STANDARDS. (a) In this section, "governmental agency" has the meaning assigned by Section 271.003.

(b) This section applies only to a contract to be performed, wholly or partly, in an affected county, as that term is defined by Section 386.001, Health and Safety Code.

(c) A governmental agency procuring goods or services may:

(1) give preference to goods or services of a vendor that demonstrates that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality; or

(2) require that a vendor demonstrate that the vendor meets or exceeds any state or federal environmental standards, including voluntary standards, relating to air quality.

(7) Add the following appropriately numbered section and renumber subsequent sections accordingly:

SECTION \_\_. Section 386.101(6), Health and Safety Code, is amended to read as follows:

(6) "On-road diesel" means an on-road diesel-powered motor vehicle that has a gross vehicle weight rating of greater than 8,500 [10,000] pounds [or more].

Amendment No. 12 was adopted without objection.

### **Amendment No. 13**

Representative Hochberg offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** as follows:

(1) On page 14, line 20, strike "Section 382.037(i), Health and Safety Code, and".

(2) On page 14, line 21, strike "are" and substitute "is".

Amendment No. 13 was adopted without objection.

**CSHB 1365**, as amended, was passed to engrossment. (Hardcastle, Hopson, D. Jones, McReynolds, Swinford, and Talton recorded voting no)

## **GENERAL STATE CALENDAR HOUSE BILLS THIRD READING**

The following bills were laid before the house and read third time:

### **HB 1849 ON THIRD READING (by Allen)**

**HB 1849**, A bill to be entitled An Act relating to the revocation process for certain persons released from the Texas Department of Criminal Justice on parole or mandatory supervision.

**HB 1849** was passed.

### **HB 1189 ON THIRD READING (by Talton)**

**HB 1189**, A bill to be entitled An Act relating to alternative dispute resolution procedures in certain police departments.

**HB 1189** was passed.



**HB 1350 ON THIRD READING****(by Uresti)**

**HB 1350**, A bill to be entitled An Act relating to an evaluation of public funding for children's mental health services.

A record vote was requested.

**HB 1350** was passed by (Record 171): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Laney.

Absent — Elkins.

**HB 245 ON THIRD READING****(by J. Keffer and Christian)**

**HB 245**, A bill to be entitled An Act relating to the disposition by counties of motor vehicle registration fees and sales tax revenue.

**HB 245** was passed.

**HB 220 ON THIRD READING****(by Hupp)**

**HB 220**, A bill to be entitled An Act relating to the confidentiality of certain records maintained by the Department of Public Safety regarding persons licensed to carry a concealed handgun.

**HB 220** was passed. (F. Brown, Deshotel, Kolkhorst, and Thompson recorded voting no)

**HB 623 ON THIRD READING****(by Goolsby)**

**HB 623**, A bill to be entitled An Act relating to the regulation of motor vehicle title services.

**HB 623** was passed.

**HB 1535 ON THIRD READING****(by R. Cook and Kolkhorst)**

**HB 1535**, A bill to be entitled An Act relating to the use of certain fees by groundwater conservation districts.

**HB 1535** was passed.

**HB 829 ON THIRD READING****(by Hughes)**

**HB 829**, A bill to be entitled An Act relating to jurisdiction to enter certain orders in a failure to attend school proceeding.

**HB 829** was passed.

**GENERAL STATE CALENDAR****HOUSE BILLS****SECOND READING**

The following bills were laid before the house and read second time:

**HB 586 ON SECOND READING****(by Villarreal)**

**HB 586**, A bill to be entitled An Act relating to the regulation of certain facilities, homes, and agencies that provide child-care services.

Representative Wohlgemuth moved to postpone consideration of **HB 586** until the end of today's calendar.

The motion prevailed without objection.

**HB 583 ON SECOND READING****(by Lewis)**

**HB 583**, A bill to be entitled An Act relating to the method of selecting trustees in certain independent school districts.

**Amendment No. 1**

Representative Lewis offered the following amendment to **HB 583**:

Amend **HB 583** as follows:

(1) On page 1, line 8, strike "average daily attendance" and substitute "enrollment".

(2) On page 1, lines 9-10, strike "and in attendance on average during the last 10 school days" and substitute "on the last school day".

(3) On page 1, line 13, strike "with more than 80,000 students in average daily attendance" and substitute "with an enrollment of more than 80,000 students".

(4) On page 1, lines 18-20, strike proposed Subsection (c) and reletter the subsequent subsections accordingly.

(5) On page 2, line 3, strike "11".

(6) On page 3, line 4, strike "11".

Amendment No. 1 was adopted without objection.

#### **Amendment No. 2**

Representative Geren offered the following amendment to **HB 583**:

Amend **HB 583** on page 3, between lines 8 and 9, by inserting the following:

(j) The board of trustees of an independent school district described by Subsection (b) shall hold a referendum on whether to adopt this section. The referendum shall be held at the election held in May 2004. This section applies only if a majority of the voters voting on the proposition vote for the proposition.

Amendment No. 2 was adopted without objection.

**HB 583**, as amended, was passed to engrossment.

#### **HB 1171 ON SECOND READING**

**(by Madden)**

**HB 1171**, A bill to be entitled An Act relating to the notice required to be given to a governmental entity to recover in a suit on a payment bond.

**HB 1171** was passed to engrossment.

#### **CSHB 1022 ON SECOND READING**

**(by Eissler, et al.)**

**CSHB 1022**, A bill to be entitled An Act relating to employment status and contract entitlements of public school educators who fail to obtain appropriate certification.

#### **CSHB 1022 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE HOWARD: Mr. Eissler, my understanding is that what you are wanting to do is make it easier to dismiss someone who loses their certification. Is that correct?

REPRESENTATIVE EISSLER: Yes.

HOWARD: What about the person who doesn't have certification? We have many school districts who have persons sometimes who are retired, sometimes who are professionals who have degrees, particularly in the math and sciences, that they want to teach—that they don't have certificates, they don't go through alternative certification, and they don't want to be certified and the school districts don't want them to be certified. How does this affect them?

EISSLER: In fact, it encourages their contributions to the educational process, in that line 16 of page 1 says a school district may under all this...The intent as I mentioned earlier is not to clean house, it's for housekeeping—not cleaning house.

HOWARD: So, in other words, when you say housekeeping, are you saying to get rid of bad teachers but not to disallow good teachers?

EISSLER: That is correct.

HOWARD: Through the certification process?

EISSLER: That is correct, sir.

### **REMARKS ORDERED PRINTED**

Representative Howard moved to print remarks between Representative Howard and Representative Eissler.

The motion prevailed without objection.

### **CSHB 1022 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE DELISI: Rob, I want to be sure that legislation that I have passed in past years—troops to teachers, careers to classrooms, those programs that allow the credit for a life experience, work that can be credited to someone beginning to teach in the classroom. We have numerous soldiers in my district that are now in the classroom because they have been involved in, say, mechanical engineering for 20 years. They've retired, and they may be in a process or they might not be in a process of alternative education. Would this affect those people?

REPRESENTATIVE EISSLER: No, and we had spoken before. In fact, there are other bills pending or in route that encourage that, such as Chairman Grusendorf's as well as Roberto Gutierrez's. Teaching permits are not affected by current law, and his lips never moved.

DELISI: And the second question that I would ask is that in my district are you aware that there was a time that we could not find a physics teacher for love or money? So, we were able to get a physician to come and teach honors physics courses. Are you aware that these physicians would not want to participate in aspects programs per se? Would this affect those teachers?

EISSLER: No, it would not. In fact, the teaching permits are not affected and of course it comes down to the board and superintendant's desires, and I'm assuming that they're most desirous of these teachers.

### **REMARKS ORDERED PRINTED**

Representative Delisi moved to print remarks by between Representative Delisi and Representative Eissler.

The motion prevailed without objection.

**CSHB 1022** was passed to engrossment.

(Elkins now present)

**HB 804 ON SECOND READING**  
**(by Geren and Seaman)**

**HB 804**, A bill to be entitled An Act relating to the minimum wage.

(Eissler in the chair)

**CSHB 804 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE PEÑA: Mr. Geren, I just wanted to ask to see if I understood this bill correctly. Down in the valley, where I am from, we've passed living wage bills that affect employees that work for government entities.

REPRESENTATIVE GEREN: Yes sir, and if you read the bill closely, on page 2, line 12, it clearly does not take that away from them.

PEÑA: It does not?

GEREN: No sir, it does not, or for school districts or any municipalities.

PEÑA: Very good.

**REMARKS ORDERED PRINTED**

Representative Peña moved to print remarks between Representative Peña and Representative Geren.

The motion prevailed without objection.

**Amendment No. 1**

Representative Thompson offered the following amendment to **HB 804**:

Amend **HB 804** as follows:

(1) on page 2, line 12, between "contract" and "." by inserting the following: ", unless approved by the voters of the municipality in an election scheduled on a uniform election date"; and,

(2) on page 2, by striking SECTION 4 on lines 16 through 22 and renumbering subsequent sections.

Representative Geren moved to table Amendment No. 1.

The motion to table prevailed.

**HB 804** was passed to engrossment. (Burnam, Castro, Chavez, Hamilton, McClendon, and Thompson recorded voting no)

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

**HB 886 ON SECOND READING**  
**(by Dutton, et al.)**

**HB 886**, A bill to be entitled An Act relating to attorney's fees in a proceeding to enforce an order for the possession of or access to a child.

**HB 886** was passed to engrossment.

**CSHB 898 ON SECOND READING**  
**(by Hamilton, Giddings, and Menendez)**

**CSHB 898**, A bill to be entitled An Act relating to the use of state travel services by public junior colleges and school districts.

**CSHB 898** was passed to engrossment.

(Hochberg in the chair)

**CSHB 678 ON SECOND READING**  
**(by Eissler)**

**CSHB 678**, A bill to be entitled An Act relating to erecting an off-premise sign adjacent to and visible from certain roads.

**Amendment No. 1**

Representative Kolkhorst offered the following amendment to **CSHB 678**:

Amend **CSHB 678** as follows:

(1) On page 2, lines 18-19 strike "eastern city limits of the city of Navasota" and substitute "boundary line between Grimes and Montgomery counties".

(2) On page 2, lines 23-24 strike "eastern city limits of the city of Anderson" and substitute "boundary line between Grimes and Montgomery counties".

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Howard offered the following amendment to **CSHB 678**:

Amend **CSHB 678** as follows:

(1) On page 2, line 22, strike "or".

(2) On page 2, between lines 22 and 23, insert the following:

"(16) State Highway 90A between State Highway 59 and State Highway 6 in the city of Sugarland; or"

(3) On page 2, line 23, strike "(16)" and substitute "(17)".

Amendment No. 2 was adopted without objection.

**CSHB 678**, as amended, was passed to engrossment. (D. Jones recorded voting no)

**CSHB 912 ON SECOND READING**  
**(by Madden)**

**CSHB 912**, A bill to be entitled An Act relating to the distribution of school district employment policies to teachers employed under term contracts.

**CSHB 912** was passed to engrossment. (Hamilton recorded voting no)

**HB 1020 ON SECOND READING**  
**(by Villarreal)**

**HB 1020**, A bill to be entitled An Act relating to the promotion of dependent care benefits for employees.

**HB 1020** was passed to engrossment. (Howard recorded voting no)

**HB 1042 ON SECOND READING**  
**(by Talton and Keel)**

**HB 1042**, A bill to be entitled An Act relating to the use of excess money in the compensation to victims of crime fund.

**HB 1042** was passed to engrossment.

**HB 1115 ON SECOND READING**  
**(by Hartnett, Naishtat, and Menendez)**

**HB 1115**, A bill to be entitled An Act relating to the euthanasia of an animal by an animal shelter; providing criminal penalties.

Representative Hartnett moved to postpone consideration of **HB 1115** until 11 a.m. Thursday, April 10.

The motion prevailed without objection.

**HB 1193 ON SECOND READING**  
**(by West)**

**HB 1193**, A bill to be entitled An Act relating to the annual gas utility report made by the Railroad Commission of Texas to the governor.

**HB 1193** was passed to engrossment.

**CSHB 1364 ON SECOND READING**  
**(by Dukes)**

**CSHB 1364**, A bill to be entitled An Act relating to emergency shelter and care for minors.

**CSHB 1364** was passed to engrossment. (Howard recorded voting no)  
(Speaker in the chair)

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**HB 586 ON SECOND READING**  
**(by Villarreal)**

**HB 586**, A bill to be entitled An Act relating to the regulation of certain facilities, homes, and agencies that provide child-care services.

**HB 586** was read second time earlier today and was postponed until this time.

Representative Villarreal moved to postpone consideration of **HB 586** until 10 a.m. Monday, May 19.

The motion prevailed without objection.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Calendars, upon adjournment today, speakers committee room, for a formal meeting.

Agriculture and Livestock, upon adjournment today, Desk 108, for a formal meeting, to consider pending business.

Regulated Industries, upon adjournment today, Desk 82, for a formal meeting, to consider **HB 2352**.

Local and Consent Calendars, 5 p.m. today, E2.024.

State Affairs, 3:15 p.m. today, regular meeting room.

### FIVE DAY POSTING RULE SUSPENDED

Representative Driver moved to suspend the five day posting rule to allow the Committee on Law Enforcement to consider **HB 287**.

The motion prevailed without objection.

Representative Hill moved to suspend the five day posting rule to allow the Committee on Local Government Ways and Means to consider **HB 2386**.

The motion prevailed without objection.

Representative Talton moved to suspend the five day posting rule to allow the Committee on Urban Affairs to consider **HB 3236**.

The motion prevailed without objection.

Representative Uresti moved to suspend the five day posting rule to allow the Committee on Human Services to consider **HB 2222** and **HB 2724**.

The motion prevailed without objection.

### BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

### ADJOURNMENT

Representatives Woolley and Flores moved that the house adjourn until 10 a.m. tomorrow in memory of James Glen McGory and Maria Elena "Mary" Gonzalez.

The motion prevailed without objection.

The house accordingly, at 2:48 p.m., adjourned until 10 a.m. tomorrow.



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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HCR 161** (By Isett), Urging congress to change veterans' mortgage bonds to cover all veterans who have served on active duty.

To Defense Affairs and State-Federal Relations.

**HCR 163** (By Miller), Granting Town Talk Foods, Inc., and Thomas E. Potthoff permission to sue the State of Texas and the Texas Department of Health.

To Civil Practices.

**HCR 169** (By Lewis), Honoring Jorge Davila of Bishop Elementary School as one of the Everman Independent School District 2002-2003 Spelling Bee winners.

To Rules and Resolutions.

**HCR 170** (By Lewis), Honoring Courtney Sumner of Hommel Elementary School as one of the Everman Independent School District 2002-2003 Spelling Bee winners.

To Rules and Resolutions.

**HCR 171** (By Telford), Designating Caddo Lake as the First Lake of Texas. To State Cultural and Recreational Resources.

**HCR 172** (By Lewis), Honoring Shatonja Hudson of E. Ray Elementary School as one of the Everman Independent School District 2002-2003 Spelling Bee winners.

To Rules and Resolutions.

**HCR 173** (By Lewis), Honoring Rickey Wilson of Souder Elementary School as one of the Everman Independent School District 2002-2003 Spelling Bee winners.

To Rules and Resolutions.

**HCR 174** (By Lewis), Honoring Nathan Seaman of Everman Junior High School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 175** (By Lewis), Honoring Melanie DeGrand of Roger E. Souder Elementary School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 176** (By Lewis), Honoring Myra Asberry of E. Ray Elementary School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 177** (By Lewis), Honoring Mary Heidgerken of Alpha Hommel Elementary School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 178** (By Lewis), Honoring LuAnn Beck of J. W. Bishop Elementary School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 179** (By Lewis), Honoring Texas Cooperative Extension in Tarrant County for its community service.

To Rules and Resolutions.

**HCR 180** (By Lewis), Honoring E. Ray Elementary School of Fort Worth on being awarded recognized status by the Texas Education Agency for 2001-2002.

To Rules and Resolutions.

**HCR 181** (By Lewis), Honoring Roger E. Souder Elementary School of Everman on being awarded recognized status by the Texas Education Agency for 2001-2002.

To Rules and Resolutions.

**HCR 182** (By Lewis), Honoring J. W. Bishop Elementary School of Everman on being awarded recognized status by the Texas Education Agency for 2001-2002.

To Rules and Resolutions.

**HCR 183** (By Lewis), Honoring Alpha Hommel Elementary School of Everman on being awarded recognized status by the Texas Education Agency for 2001-2002.

To Rules and Resolutions.

**HCR 184** (By Lewis), Honoring Tyehimba Crear of Fort Worth for being named first place and grand prize winner of the Fort Worth Star-Telegram Race Against Drugs poster contest.

To Rules and Resolutions.

**HCR 185** (By Lewis), Honoring Wendy Lockwood of Everman Joe C. Bean High School on being named Teacher of the Year.

To Rules and Resolutions.

**HCR 186** (By Gallego), Expressing support and encouragement for the reopening of the bridge and border crossing at La Linda to accommodate trade and tourism between Texas and Coahuila, Mexico.

To Border and International Affairs.

**HCR 187** (By Truitt), Honoring Morgan Champlin of Colleyville for earning a 2003 Prudential Spirit of Community Award.

To Rules and Resolutions.

**HCR 188** (By Truitt), In memory of Hardy Sanders of Colleyville.  
To Rules and Resolutions.

**HCR 189** (By Truitt), In memory of Brandon Fails of Grapevine.  
To Rules and Resolutions.

**HCR 190** (By Dunnam), In memory of B. R. Ralston "Boots" Douglas of Lacy-Lakeview.  
To Rules and Resolutions.

**HCR 191** (By Dunnam), Honoring the First Baptist Church of Mart on its 125th anniversary.  
To Rules and Resolutions.

**HR 680** (By Hamric), Granting the American Legion permission to use the house chamber for its Boys State program June 13, 2003.  
To House Administration.

**HR 685** (By Harper-Brown), Commending Jessica Schingle of Irving for her participation in the Honorary Page Program on March 19, 2003.  
To Rules and Resolutions.

**HR 696** (By Swinford), Recognizing Randall Yarbrough of Austin on his outstanding service to the State of Texas.  
To Rules and Resolutions.

**HR 698** (By Hunter), In memory of Manly David Ballard of Abilene.  
To Rules and Resolutions.

**HR 700** (By Phillips), Recognizing April 9, 2003, as Fannin County Day at the State Capitol.  
To Rules and Resolutions.

**HR 701** (By Martinez Fischer), In memory of Ruben Munguia, Sr., of San Antonio.  
To Rules and Resolutions.

**HR 702** (By Truitt), Honoring Teresa Rutherford of Colleyville for being named 2002 Realtor of the Year.  
To Rules and Resolutions.

**HR 703** (By Gallego), Congratulating the Iraan High School boys' and girls' cross-country teams for winning the 2002 1A state championship titles.  
To Rules and Resolutions.

**SB 103** to Law Enforcement.

**SB 127** to Insurance.

**SB 253** to Higher Education.

**SB 260** to Licensing and Administrative Procedures.

**SB 271** to Agriculture and Livestock.

**SB 276** to Licensing and Administrative Procedures.

**SB 394** to Government Reform.

**SB 405** to Criminal Jurisprudence.  
**SB 407** to Civil Practices.  
**SB 430** to Judicial Affairs.  
**SB 433** to Juvenile Justice and Family Issues.  
**SB 448** to Public Education.  
**SB 527** to Transportation.  
**SB 532** to Judicial Affairs.  
**SB 580** to Business and Industry.  
**SB 591** to Corrections.  
**SB 629** to Judicial Affairs.  
**SB 710** to Land and Resource Management.  
**SB 721** to Natural Resources.  
**SB 756** to Defense Affairs and State-Federal Relations.  
**SB 761** to Defense Affairs and State-Federal Relations.  
**SB 802** to Criminal Jurisprudence.  
**SB 822** to Natural Resources.  
**SB 850** to County Affairs.  
**SB 861** to State Affairs.  
**SB 862** to Public Education.  
**SB 868** to Urban Affairs.  
**SB 922** to Judicial Affairs.  
**SB 934** to Environmental Regulation.  
**SB 979** to Judicial Affairs.  
**SB 996** to State Affairs.  
**SB 1047** to State Affairs.  
**SCR 38** to Rules and Resolutions.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**SB 374** to Licensing and Administrative Procedures.

**HB 2067** (By Pitts), Relating to the Department of Information Resources' management of certain electronic and telecommunications projects.

To Government Reform.

**List No. 2**

**SB 14** to Insurance.

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 23****HCR 162****MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1****MESSAGE FROM THE SENATE****SENATE CHAMBER**

Austin, Texas

Monday, April 7, 2003

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

**THE SENATE HAS PASSED THE FOLLOWING MEASURES:****SB 14**

Jackson

Relating to certain insurance rates, forms, and practices; providing penalties.

**SB 236**

Fraser

Relating to exempting landowners and certain other persons from the requirement of obtaining a hunting license to hunt feral hogs and coyotes on the landowners' property.

**SB 501**

Armbrister

Relating to laws regulating the carrying of weapons, including the application of criminal trespass laws to persons licensed to carry a concealed handgun.

**SB 566**

West

Relating to the duties of law enforcement regarding the misuse of a person's identity and to the person's right to expunction of identifying information contained in certain records and files.

**SB 1053**

Duncan

Relating to certain water pollution and conservation programs administered by the Texas Water Development Board.

**SB 1060**

Ellis, Rodney

Relating to enforcement of conduct and other matters concerning a security; providing a penalty.

**SB 1111**

West

Relating to the rate of hotel occupancy and motor vehicle rental taxes used to finance venue projects in certain counties.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Monday, April 7, 2003 - 2

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 54** Jones, Jesse SPONSOR: West  
Honoring Eli and Earlie Mae Davis of Dallas on their 50th wedding anniversary.

**HCR 55** Lewis SPONSOR: West  
Recognizing the National Bar Association's 23rd Annual Mid-Year Conference and the Gertrude E. Rush Award Dinner.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 3**

Business and Industry - **SB 378**

Corrections - **HB 1856**

Criminal Jurisprudence - **HB 1000, HB 2146**

Government Reform - **HB 1403**

Insurance - **HB 1243, HB 2259, SB 752**

Law Enforcement - **HB 498, HB 565, HB 769, HB 778, HB 1036, HB 1326, HB 1330, HB 1458**

Natural Resources - **HB 487, HB 755, HB 2031, HB 2227**

Public Education - **HB 973, HB 1554, HB 1844, HB 2072**

Regulated Industries - **HB 730, HB 835**

**April 4**

Agriculture and Livestock - **HB 2133, HB 2320**

Civil Practices - **SB 360**

Elections - **HB 2684**

Energy Resources - **HB 1594**

Human Services - **HB 493, HB 1736, HB 2298**

Insurance - **SB 421**

Judicial Affairs - **HB 327, HB 738, HB 871, HB 1475, HB 1709, HB 1729, HB 1940, HB 2157, HB 2188, HB 2234, HB 2341, HB 2592, HB 2682, SB 375, SB 520**

Land and Resource Management - **HB 289, HB 1563**

Law Enforcement - **HB 292, HB 406, HB 476, HB 670**

Licensing and Administrative Procedures - **HB 329**

Natural Resources - **HB 1203, HB 1379, HB 1875, HB 1979**

Public Education - **HB 443, HB 793, HB 1146, HB 1202, HB 1225, HB 1339**

Redistricting - **HB 2261**

Regulated Industries - **HB 1175**

State Cultural and Recreational Resources - **HB 1529, HB 2477, HJR 49**

State Health Care Expenditures, Select - **HB 725, HB 1555, HB 1559, HB 1744**

**ENGROSSED**

**April 3 - HB 28, HB 32, HB 89, HB 147, HB 149, HB 240, HB 258, HB 398, HB 462, HB 530, HB 608, HB 660, HB 671, HB 681, HB 724, HB 739, HB 816, HB 864, HB 872, HB 887, HB 917, HB 935, HB 980, HB 1030, HB 1060, HB 1075, HB 1083, HB 1095, HB 1117, HB 1191, HB 1221, HB 1231, HB 1236, HB 1282, HB 1295, HB 1309, HB 1369, HB 1536, HB 1631, HB 1649, HB 1650, HB 1666, HB 1677, HB 1819, HB 1820, HB 1944, HB 1948, HB 1959, HCR 34**

**ENROLLED**

**April 3 - HCR 162**

**RECOMMENDATIONS FILED WITH THE SPEAKER**

**April 4 - HB 485, HB 535, HB 924, HB 1419, HB 1437, HB 1506, HB 1540, HB 1685, HB 1756, HB 1832**

